

118TH CONGRESS
1ST SESSION

S. _____

To modify Department of Agriculture programs to improve flood protection and infrastructure resiliency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. RICKETTS (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To modify Department of Agriculture programs to improve flood protection and infrastructure resiliency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Flood Protection and
5 Infrastructure Resilience Act of 2023”.

6 **SEC. 2. EMERGENCY WATERSHED PROGRAM.**

7 Section 403 of the Agricultural Credit Act of 1978
8 (16 U.S.C. 2203) is amended by adding at the end the
9 following:

1 “(c) LEVEL OF RESTORATION.—In carrying out this
2 section, the Secretary may undertake measures that in-
3 crease the level of protection above that which would be
4 necessary to address the immediate impairment of the wa-
5 tershed if the Secretary determines that such restoration
6 is in the best interest of—

7 “(1) the long-term health of the watershed; and

8 “(2) the protection of the watershed from repet-
9 itive impairments.”.

10 **SEC. 3. REHABILITATION OF STRUCTURAL MEASURES**

11 **NEAR, AT, OR PAST THEIR EVALUATED LIFE**

12 **EXPECTANCY.**

13 Section 14(b) of the Watershed Protection and Flood
14 Prevention Act (16 U.S.C. 1012(b)) is amended by strik-
15 ing paragraph (2) and inserting the following:

16 “(2) AMOUNT OF ASSISTANCE; LIMITATIONS.—

17 “(A) IN GENERAL.—The amount of Fed-
18 eral funds that may be made available under
19 this subsection to a local organization for con-
20 struction of a particular rehabilitation project
21 shall be equal to 65 percent of the total reha-
22 bilitation costs, but not to exceed 100 percent
23 of actual construction costs incurred in the re-
24 habilitation.

1 “(B) LIMITED RESOURCE AREAS.—Not-
2 withstanding subparagraph (A), the Secretary
3 may contribute up to 90 percent of the total re-
4 habilitation costs to a local organization for
5 construction of a particular rehabilitation
6 project that serves a limited resource area, as
7 determined by the Secretary, but not to exceed
8 100 percent of actual construction costs in-
9 curred in the rehabilitation.

10 “(C) COSTS OF RESOURCE RIGHTS AND
11 PERMITS.—The local organization shall be re-
12 sponsible for the costs of water, mineral, and
13 other resource rights and all Federal, State,
14 and local permits.”.

15 **SEC. 4. REGIONAL CONSERVATION PARTNERSHIP PRO-**
16 **GRAM PURPOSES.**

17 Section 1271(b) of the Food Security Act of 1985
18 (16 U.S.C. 3871(b)) is amended by striking paragraph (2)
19 and inserting the following:

20 “(2) To address natural resource concerns on
21 eligible land on a regional or watershed scale, includ-
22 ing—

23 “(A) the conservation, protection, restora-
24 tion, and sustainable use of soil;

1 “(B) the conservation and protection of
2 water, including sources of drinking water and
3 groundwater;

4 “(C) the prevention and mitigation of the
5 effects of flooding and drought, and the im-
6 provement or expansion of flood resiliency; and

7 “(D) the conservation of wildlife, agricul-
8 tural land, and related natural resources.”.